

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ERIC MULLINS,

Plaintiff,

Case No. 3:10-cv-404

vs.

Judge Thomas M. Rose

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Magistrate Judge Michael R. Merz

Defendant.

**ENTRY AND ORDER OVERRULING THE COMMISSIONER'S
OBJECTIONS (Doc. #26) TO THE MAGISTRATE JUDGE'S REPORT
AND RECOMMENDATIONS REGARDING ATTORNEYS' FEES;
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATIONS REGARDING ATTORNEYS' FEES (Doc. #25) IN
ITS ENTIRETY; AND AWARDING \$2,502.99 IN ATTORNEYS' FEES TO
MULLINS**

Plaintiff Eric Mullins ("Mullins") seeks attorneys' fees in the amount of \$3,150.31. (Doc. #21.) On February 2, 2012, United States Magistrate Judge Michael R. Merz entered a Report and Recommendations (doc. #25) recommending that attorneys' fees in the amount of \$2,502.99 be awarded to Mullins. The Commissioner objected to this award (doc. #26) and Mullins has responded to the Commissioner's objections (doc. #27). This matter is, therefore, ripe for decision.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Based upon the reasoning and citations of authority set forth in the Magistrate Judge's Report and Recommendations (doc.

#25) and in the Commissioner's Objections (doc. #26) and Mullins' Response (doc. #27), as well as upon a thorough de novo review of this Court's file, including the Administrative Transcript, and a thorough review of the applicable law, this Court adopts the aforesaid Report and Recommendations in its entirety. Mullins is awarded attorneys' fees in the amount of \$2,502.99.

Finally, the captioned cause is hereby again ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

DONE and **ORDERED** in Dayton, Ohio, this Twenty-Seventh Day of February, 2012.

s/Thomas M. Rose

JUDGE THOMAS M. ROSE
UNITED STATES DISTRICT COURT

Copies furnished to: Counsel of Record